

REMARKS

Claims 1-26 are pending in the application. In the non-final Office Action of July 2, 2007, the Examiner made the following disposition:

- A.) Rejected claims 1-26 under 35 U.S.C. §112, second paragraph.
- B.) Rejected claims 1-26 under 35 U.S.C. §103(a) as being allegedly unpatentable over *He, et al. (U.S. Patent No. 6,671,259)*("He") in view of *Zisapel, et al. (U.S. Patent No. 6,249,801)*("Zisapel").

Applicants respectfully traverse the rejection and address the Examiner's disposition below.

A.) Rejection of claims 1-26 under 35 U.S.C. §112, second paragraph:

Independent claims 1, 5, 11, 14, 18, 22, and 26 have each been amended as per the Examiner's request to overcome the rejection.

Claims 2-4, 6-10, 12, 13, 15-17, 19-21, and 23-25 depend directly or indirectly from claims 1, 5, 11, 14, 18, or 22 and are therefore allowable for at least the same reasons that claims 1, 5, 11, 14, 18, and 22 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 1-26 under 35 U.S.C. §103(a) as being allegedly unpatentable over *He, et al. (U.S. Patent No. 6,671,259)*("He") in view of *Zisapel, et al. (U.S. Patent No. 6,249,801)*("Zisapel"):

Applicants respectfully disagree with the rejection.

Independent claims 1, 5, 11, 14, 18, 22, and 26, each as amended, each claim subject matter relating to a master (second) load balancing server selecting a slave (first) load balancing server to receive a processing request from a client to perform a processing. After being selected by the master (second) load balancing server, the slave (first) load balancing server receives the processing request from the client. Then, the slave (first) load balancing server forwards a processing server request to the master (second) load balancing server.

The master (second) load balancing server determines a load of each of a plurality of processing servers, and selects one of the plurality of processing servers that is suitable for performing the processing responsive to the processing server request. The master (second) load balancing server sends an identifier of the selected processing server to the load balancing slave (first) server. The load balancing slave (first) server establishes a communication link between

the selected processing server and the client to perform the processing.

This is clearly unlike *He* in view of *Zisapel*, which fails to disclose or suggest a master (second) load balancing server that selects a slave (first) load balancing server to receive a processing request from a client, and then the slave receives the processing request from the client. The Examiner acknowledges that *He* fails to teach this claimed subject matter. *Office Action of 7/2/2007*, page 5. The Examiner therefore looks to *Zisapel*, however Applicants respectfully submit *Zisapel* also fails to teach or suggest the claimed limitations. Applicants' claimed invention claims a master (second) load balancing server selecting a slave (first) load balancing server to receive a processing request, and then the slave (first) load balancing server receives the processing request from the client. In an illustrative example, Server B selects Server A to receive the processing request, and then Server B receives the processing request (not Server A). To the contrary, *Zisapel* discloses a system in which Server B (LB1) receives a request, selects Server A (LB2) to handle the request instead, and forwards the request to Server A (LB2). *Zisapel* Figure 1A.

Thus, unlike Applicants' claimed invention, *Zisapel's* Server B (LB1) selects its Server A (LB2) after Server B has already received a request from the client. Further, unlike Applicants' claimed invention, *Zisapel's* Server B receives the client's request, instead of *Zisapel's* Server A. For at least these reasons, *He* in view of *Zisapel* still fails to disclose or suggest claims 1, 5, 11, 14, 18, 22, and 26.

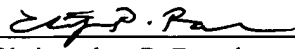
Claims 2-4, 6-10, 12, 13, 15-17, 19-21, and 23-25 depend directly or indirectly from claims 1, 5, 11, 14, 18, and 22 and are therefore allowable for at least the same reasons that claims 1, 5, 11, 14, 18, and 22 are allowable.

Applicants submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-26 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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